

REMARKS:

Claims 1-4, 10, and 13-25 are currently pending in the present application. Claim 14 is hereby cancelled.

Claims 10 and 13 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the Applicant regards as his invention. Claims 1-4 and 14-25 stand provisionally rejected on the grounds of nonstatutory obviousness-type double patenting, as being unpatentable over Claims 1, 2, and 4-6 of co-pending Application No. 11/072,382 (the "382 Application"). Claims 1-4 and 14-25 stand provisionally rejected on the grounds of nonstatutory obviousness-type double patenting, as being unpatentable over claims 1, 2, and 4-25 of co-pending Application 10/523,942 (the "942 Application"). Claims 1, 2, 15, and 17-19 stand rejected under 35 USC §§ 102(a) and/or 102(e) as being anticipated by U.S. Patent No. 6,372,323 to Kobe ("Kobe"). Claims 3, 4, 14, 16, and 20-25 stand rejected under 35 USC § 103(a), as being unpatentable over Kobe in view of WO 00/08622 to Neal ("Neal"). Claims 1-4 and 14-25 stand rejected under 35 USC § 103(a), as being unpatentable over Neal in view of WO 01/87581 to Carballo ("Carballo").

Rejections Under 35 U.S.C. § 112, Second Paragraph:

Claims 10 and 13 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the Applicant regards as his invention.

Claims 10 and 13 are hereby amended to each depend from Claim 1. As such, the Applicant submits that the Examiner's rejections under 35 U.S.C. § 112, second paragraph, are overcome, and that Claims 10 and 13, as amended, are now in condition for allowance. Therefore, the Applicant respectfully requests that Claims 10 and 13, as amended, be allowed.

Provisional Double Patenting Rejections:

Claims 1-4 and 14-25 stand provisionally rejected on the grounds of nonstatutory obviousness-type double patenting, as being unpatentable over Claims 1, 2, and 4-6 of the '382 Application. In addition, Claims 1-4 and 14-25 stand provisionally rejected on the grounds of nonstatutory obviousness-type double patenting, as being unpatentable over claims 1, 2, and 4-25 of the '942 Application.

Applicant notes these provisional rejections, which will be taken up in due course upon allowance of either the '382 Application or the '942 Application.

Rejections Under 35 U.S.C. § 102(a) and/or 102(e):

Claims 1, 2, 15, and 17-19 stand rejected under 35 USC §§ 102(a) and/or 102(e) as being anticipated by Kobe.

With respect to Claim 1, the Examiner states that Kobe discloses a slip control sheet comprising a decorative layer 21 or 22, which can include pigments, between an adhesive layer 34 and an anti-slip layer 21 comprising a plurality of uniformly sized rounded dimples 26, 46, 56, 78, and/or 86. The Applicant respectfully disagrees.

In Kobe, reference numerals 26, 46, 56, 78, and/or 86 refer to the "upstanding stems." Kobe describes the importance of his "stem geometry" at great length at column 8, lines 1-43. Although these upstanding stems may have different shapes, as disclosed at column 5, lines 13-16, the stems **must** maintain a relatively large height-to-diameter aspect ratio. At column 8, lines 15-17, Kobe expressly states that "the stems need to be substantially upstanding to optimize the performance of the slip control article. The stems are kept upstanding by the stem diameter and the nature of the elastomeric material." More importantly, at column 8, lines 36-39, Kobe requires that "[t]he stems have an aspect ratio of at least 1.25, and preferably at least 1.5, and more preferably at least 2.0 and most preferably greater than 3.0., [sic] although aspect ratios in excess of 3.0 are possible for some applications." Thus, Kobe is describing long, skinny stems, as shown in the figures.

On the other hand, the dimples of the claimed skin are wide and short, i.e., having a height-to-diameter aspect ratio of 1.0 or less. This allows more of the surface area of the dimple to come into contact with the surface on which the handheld device is in contact. The anti-slip functionality of the claimed invention comes from the unique surface texture imparted to the dimples of the anti-slip layer. These dimples must be short and wide in order to allow the handheld device to have anti-slip functionality when set upon a hard surface, but to continue to mate with or connect to corresponding accessory components. In the claimed invention, the anti-slip functionality is derived from the high coefficient of friction that is inherent to the surface texture of the elastomeric material that forms the anti-slip layer, not the mechanical or geometric shape of the dimples.

Claim 1 is hereby amended to clarify that the dimples have a height-to-diameter aspect ratio of 1.0 or less. This clarification distinguishes the claimed invention over the Kobe device. This feature is not disclosed, suggested, mentioned, or taught, either alone or in combination, by Kobe or any of the other references cited by the Examiner.

The Examiner also states that the backing layer 21 or the additional backing layer 22 in Kobe can contain pigments. Although thermoplastic materials may generally contain pigments, Kobe makes no mention, suggestion, or teaching, whatsoever about adding a separate label stock layer onto which is printed text and other graphical indicia. Having a separate and distinct layer of label stock allows the user to add a wide variety of printing and graphics with colors and resolutions that would not be possible by merely adding pigments to a thermoplastic material.

On the other hand, in the claimed invention, the decorative layer is a separate and distinct layer of label stock, onto which is printed any desired text or graphical indicia. In the claimed invention, the anti-slip layer is adhered **over** the decorative layer. This separate label stock layer allows an infinite variety of text, graphics, colors, and resolutions to be utilized.

Claim 1 is also hereby amended to clarify that the decorative layer is a separate and distinct layer of label stock, onto which is printed any desired text and/or graphical indicia. This clarification distinguishes the claimed invention over the Kobe device. This feature is not disclosed, suggested, mentioned, or taught, either alone or in combination, by Kobe or any of the other references cited by the Examiner.

The Applicant submits that the foregoing amendments and remarks overcome the Examiner's rejection of Claim 1 under 35 U.S.C. §§ 102(a) and/or 102(e), and that Claim 1, as amended, is now in condition for allowance. Therefore, the Applicant respectfully requests that Claim 1, as amended, be allowed.

With respect to Claim 2, the Examiner states "see column 5, lines 25 and 36." To the extent that the Examiner's statement constitutes a valid and proper rejection under 35 U.S.C. §§ 102(a) and/or 102(e), the Applicant respectfully disagrees.

The cited passages of the Kobe disclosure describe the "backing layer." Although Kobe states at column 5, lines 35-36 that "[t]he backing layer is typically about 0.05 millimeters to about 0.38 millimeters ... thick," the Examiner fails to realize that the "backing layer" does not include the height of the upraised stems. This is expressly stated just above at column 5, lines 31-34: "As used herein, backing layer refers to an assembly having one or more layers supporting the upstanding stems, although typically at most one of these layers is integrally formed with the upstanding stems." The upstanding stems are separately described at column 8, lines 17-23: "The upstanding stems typically have a height 28 in the range of about 0.254 millimeters to about 1.27 millimeters ... and more typically in the range of about 0.51 millimeters to about 1.02, [sic] millimeters" Thus, the typical height of the Kobe article is well over 0.5 millimeters. The whole point of the Kobe article is to have densely packed, thin upstanding stems to provide a soft feel. This is exactly what the claimed invention seeks to avoid.

In the claimed invention, the dimples are very short and wide, so as to maximize the contact surface area between the dimples and the hard surface on which the

handheld device sits. This clarification distinguishes the claimed invention over the Kobe device. This feature is not disclosed, suggested, mentioned, or taught, either alone or in combination, by Kobe or any of the other references cited by the Examiner.

Claim 2 is not hereby amended, but remains dependent upon Claim 1, which is hereby amended. As such, all of the distinguishing features added to Claim 1 are now included in Claim 2. Claim 1 is hereby amended to clarify that the dimples have a height-to-diameter aspect ratio of less than 1.0. This clarification distinguishes the claimed invention over the Kobe device. This feature is not disclosed, suggested, mentioned, or taught, either alone or in combination, by Kobe or any of the other references cited by the Examiner.

The Applicant submits that the foregoing amendments and remarks overcome the Examiner's rejection of Claim 2 under 35 U.S.C. §§ 102(a) and/or 102(e), and that Claim 2 is now in condition for allowance. Therefore, the Applicant respectfully requests that Claim 2 be allowed.

With respect to Claims 15 and 17-19, the Examiner states "see column 5, lines 51-62 and column 9, lines 25-63." To the extent that the Examiner's statement constitutes a valid and proper rejection under 35 U.S.C. §§ 102(a) and/or 102(e), the Applicant respectfully disagrees.

These references merely list a large variety of materials of which the Kobe backing layer may be made. Kobe makes no mention, teaching, suggestion, or disclosure of any kind directed to adding a separate and distinct label stock layer onto which may be printed textual and/or graphical indicia. Nor does Kobe teach, suggest, or disclose short, wide dimples having a height-to-diameter aspect ratio of less than 1.0, so as to maximize the contact area between the dimples and the hard surface on which the handheld device sits. Indeed, Kobe teaches away from such a geometry, in that Kobe requires relatively thin, tall stems that are upraised from the backing layer.

Claims 15 and 17-19 are not hereby amended, but remain dependent upon Claim 1, which is hereby amended. As such, all of the distinguishing features added to

Claim 1 are now included in Claims 15 and 17-19. Claim 1 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Kobe or any of the other the references cited by the Examiner.

The Applicant submits that foregoing amendments and remarks overcome the Examiner's rejections of Claims 15 and 17-19 under 35 U.S.C. §§ 102(a) and/or 102(e) and that Claims 15 and 17-19 are now in condition for allowance. Therefore, the Applicant respectfully requests that Claims 15 and 17-19 be allowed.

The Examiner states "With regards to the limitations 'for application on handheld devices' and 'conforming to the shape of the handheld device' are deemed to be statements with regard to the intended use and is not further limiting in so far as the structure of the product is concerned." This statement by the Examiner is a misrepresentation of the claims. The quoted expressions do not appear anywhere in the claims. Claim 1 includes the **express structural limitation** that **"the skin is selectively shaped to conform to the contours, shape, and components of the handheld electronic device."** This is an express structural limitation described at length in the Specification. This limitation means that the skins are selectively cut and otherwise treated and prepared, i.e., **custom tailored**, to precisely fit on specific cell phones and other handheld electronic devices to prevent the skins from interfering with buttons, hinges, battery packs, camera lenses, etc. This feature is described throughout the Specification and shown illustratively in Figures 3 and 4. Not only is this a structural limitation, it is not disclosed in Kobe or any other reference cited by the Examiner.

Based upon the foregoing amendments and remarks, the Applicant respectfully submits that Claims 1, 2, 15, and 17-19, as amended, are not anticipated by Kobe, and requests that Claims 1, 2, 15, and 17-19, as amended, be allowed.

Rejections Under 35 U.S.C. § 103(a):

Claims 3, 4, 14, 16, and 20-25 stand rejected under 35 USC § 103(a), as being unpatentable over Kobe in view of Neal.

With respect to Claims 4, 14, and 20, the Examiner concedes that Kobe does not teach a printed decorative layer and that Kobe does not teach a product comprising two portions of the same product. The Examiner relies on Neal to supply this feature. The Examiner states that Neal discloses that an anti-slip label can be formed with the anti-slip layer 4 and decorative printed "layer/label (6)." The Applicant respectfully disagrees.

Neal discloses an improved label for placement on a substrate, i.e., a package for delivery. Figure 1 of Neal illustrates label 1 comprising a thermoplastic layer 4 for covering a printed layer 6. Layer 4 and decorative layer (any of 4-7) can be of a thickness of less than 0.5mm. See page 8, lines 7-9 and page 10, lines 6-10.

It should be noted that the Neal label is not intended to be used as a thin skin for providing gripping means. The top surface layer 4 is a coextruded sheet of a thermoplastic elastomer and a polyolefin. Neal merely discloses a label overlaid with plastic. The plastic itself generates a soft feel. Neal makes no mention whatsoever of providing a thin, anti-slip layer having a surface finish having a high coefficient of friction to provide anti-slip functionality to handheld electronic devices.

First, the Applicant reiterates here the distinguishing remarks set forth above with respect to Kobe. Second, Neal does not disclose a **separate and distinct** label stock. In Neal, reference numeral 6 refers to the printing that is done on the back of the sheet 5. This is explained at several places in the Neal disclosure, such as at the following places:

Page 2, line 36-page 3, line 3: "The thermoplastic elastomer layer (4) forms the uppermost layer and a print layer (6) is applied to the outer surface of the polyolefin

layer (5). A pressure sensitive adhesive layer (2) is present between the print (6) and layer (6) and a backing paper as the label substrate layer (9)."

Page 3, line 5-page 3, line 7: "Figure 2 represents an embodiment in which the coextruded sheet (3) is printed (6) on the outer surface of the polyolefin layer (5) and is adhesively applied to a polyolefin film (7) (also called a base label) by means of a laminating adhesive layer (8)."

Page 9, line 18-page 9, line 20: "Of course, the structure is sufficiently translucent to permit the printing (6) to be clearly visible in the label, in particular in cases in which the label is printed on the polyolefin/polyester layer (5) and/or the base label (7)."

Thus, neither Neal nor Kobe disclose, teach, mention, or suggest utilizing a separate and distinct label stock between the anti-slip layer and an adhesive layer.

On the other hand, in the claimed invention, the decorative layer is a separate and distinct layer of label stock, onto which is printed any desired text or graphical indicia. This feature allows an infinite variety of text, graphics, colors, and resolutions to be utilized, and the printing can be done with common, inexpensive, non-specialized printers.

Claim 14 is hereby cancelled. Claim 4 is not hereby amended, but remains dependent upon Claim 1, which is hereby amended. As such, all of the distinguishing features added to Claim 1 are now included in Claim 4. Claim 1 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter-ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Kobe, Neal, or any other the reference cited by the Examiner.

Claim 20 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the

limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Kobe, Neal, or any other reference cited by the Examiner.

The Applicant submits that the foregoing amendments and remarks overcome the Examiner's rejection of Claims 4, 14, and 20 under 35 U.S.C. § 103(a), and that Claims 4 and 20, as amended, are now in condition for allowance. Therefore, the Applicant respectfully requests that Claims 4 and 20, as amended, be allowed.

With regard to Claim 3, the Examiner states that all layers above the print layer 6 in Neal can be transparent in order to view the print layer 6. The Applicant respectfully disagrees.

The problem with the Examiner's assertion is that, in Neal, there is no separate and distinct print layer formed from label stock. Neal does not disclose a **separate and distinct** label stock. In Neal, reference numeral 6 refers to the printing that is done on the back of the sheet 5. This is explained at several places in the Neal disclosure, as set forth above.

On the other hand, this clarification has been hereby added to Claim 1. Claim 1, as amended, now includes a separate and distinct label stock layer onto which text and other graphical indicia may be printed. This feature is not disclosed, suggested, mentioned, or taught, either alone or in combination, by Kobe, Neal, or any other reference cited by the Examiner.

Claim 3 is not hereby amended, but remains dependent upon Claim 1, which is hereby amended. As such, all of the distinguishing features added to Claim 1 are now included in Claim 3. ~~Claim 1 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested,~~

mentioned, or taught, either alone or in combination, by Kobe, Neal, or any other reference cited by the Examiner.

The Applicant submits that the foregoing amendments and remarks overcome the Examiner's rejection of Claim 3 under 35 U.S.C. § 103(a), and that Claim 3 is now in condition for allowance. Therefore, the Applicant respectfully requests that Claim 3 be allowed.

With respect to Claims 20 and 21, the Examiner states that this would merely involve a duplication of parts. The Applicant respectfully disagrees.

Claim 20 includes the limitation that **"wherein the first portion and each additional portion are selectively shaped to conform to the contours, shape, and components of the handheld electronic device."** This is an express structural limitation described at length in the Specification. This limitation means that each portion is selectively cut and otherwise treated and prepared, i.e., **custom tailored**, to precisely fit on specific cell phones and other handheld electronic devices to prevent the skins from interfering with buttons, hinges, battery packs, camera lenses, etc. This feature is described throughout the Specification and shown illustratively in Figures 3 and 4. This structural feature is not disclosed in Neal, Kobe, or any other reference cited by the Examiner.

Claim 21 is not hereby amended, but remains dependent upon Claim 20, which is hereby amended. As such, all of the distinguishing features added to Claim 20 are now included in Claim 21. Claim 20 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Kobe, Neal, or any other reference cited by the Examiner.

The Applicant submits that the foregoing amendments and remarks overcome the Examiner's rejections of Claims 20 and 21 under 35 U.S.C. § 103(a), and that

Claims 20 and 21, as amended, are now in condition for allowance. Therefore, the Applicant respectfully requests that Claims 20 and 21, as amended, be allowed.

With respect to Claim 14, the Examiner states that the product is label stock. The Applicant respectfully disagrees.

The layers of the Neal device combine to form a "label." Neither Neal nor Kobe, either alone or in combination, disclose, teach, suggest, or mention a separate and distinct label stock, directly upon which is printed graphical text and indicia. In Neal, reference numeral 6 refers to the printing that is done on the back of the sheet 5. This is explained at several places in the Neal disclosure, as set forth above.

Claim 14 is hereby cancelled. As such, the Examiner's rejection of Claim 14 under 35 U.S.C. § 103(a) is now moot; however, because the limitations of Claim 14 have been incorporated into amended Claim 1, the Applicant offers the distinguishing remarks set forth herein.

With respect to Claim 16, the Examiner has not provided any support whatsoever for the rejection of Claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Kobe in view of Neal. Neither Kobe nor Neal make any disclosure, mention, teaching, or suggestion whatsoever related to a polarized image on a separate decorative layer that changes when viewed from different angles.

Claim 16 is not hereby amended, but remains dependent upon Claim 1, which is hereby amended. As such, all of the distinguishing features added to Claim 1 are now included in Claim 16. Claim 1 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. **Claim 16 adds the additional limitation that the anti-slip layer is polarized.** These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Kobe, Neal, or any of the other the references cited by the Examiner.

The Applicant submits that the foregoing amendments and remarks overcome the Examiner's rejection of Claim 16 under 35 U.S.C. § 103(a), and that Claim 16 is now in condition for allowance. Therefore, the Applicant respectfully requests that Claim 16 be allowed.

With respect to Claims 23-25, the Examiner states "see column 5, lines 51-62 and column 9, lines 25-63 in Kobe et al." To the extent that the Examiner's statement constitutes a valid and proper rejection under 35 U.S.C. § 103(a), the Applicant respectfully disagrees that the cited references render the claimed invention obvious.

As set forth above, these references merely list a large variety of materials of which the Kobe backing layer may be made. Kobe makes no mention, teaching, suggestion, or disclosure of any kind directed to adding a separate and distinct label stock layer onto which may be printed textual and/or graphical indicia. Nor does Kobe teach, suggest, or disclose short, wide dimples having a height-to-diameter aspect ratio of less than 1.0, so as to maximize the contact area between the dimples and the hard surface on which the handheld device sits. Indeed, Kobe teaches away from such a geometry, in that Kobe requires relatively thin, tall stems that are upraised from the backing layer. Furthermore, Claim 20 is directed toward a multi-portion skin and includes the limitation that **"wherein the first portion and each additional portion are selectively shaped to conform to the contours, shape, and components of the handheld electronic device."** This is an express structural limitation described at length in the Specification. This limitation means that each portion is selectively cut and otherwise treated and prepared, i.e., **custom tailored**, to precisely fit on specific cell phones and other handheld electronic devices to prevent the skins from interfering with buttons, hinges, battery packs, camera lenses, etc. This feature is described throughout the Specification and shown illustratively in Figures 3 and 4. This structural feature is not disclosed in Neal, Kobe, or any other reference cited by the Examiner.

Claims 23-25 are not hereby amended, but remain dependent upon Claim 20, which is hereby amended. As such, all of the distinguishing features added to Claim 20 are now included in Claims 23-25. Claim 20 is hereby amended by adding the

limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Neal, Kobe, or any other reference cited by the Examiner.

The Applicant submits that foregoing amendments and remarks overcome the Examiner's rejections of Claims 23-25 under 35 U.S.C. § 103(a) and that Claims 23-25 are now in condition for allowance. Therefore, the Applicant respectfully requests that Claims 23-25 be allowed.

For at least these reasons, the Applicant submits that Claims 3, 4, 16, and 20-25, as amended, are not rendered obvious over Kobe in view of Neal. The Applicant submits that foregoing remarks overcome the Examiner's rejections under 35 USC § 103(a), and that Claims 3, 4, 16, and 20-25, as amended, are now in condition for allowance. Therefore, the Applicant respectfully requests that Claims 3, 4, 16, and 20-25, as amended, be allowed.

Claims 1-4 and 14-25 stand rejected under 35 USC § 103(a), as being unpatentable over Neal in view of Carballo.

The Examiner states that Neal discloses a sheet comprising a printed decorative layer 6 located between an adhesive layer 2 and a top anti-slip layer 4/5. The Examiner concedes that Neal fails to disclose uniformly sized dimples. The Examiner relies upon Carballo to supply this feature. The Examiner states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neal to include dimples on the top layer as taught by Carballo in order to increase, or add to, the anti-slip properties of this layer since dimples are known to provide such properties. The Applicant respectfully disagrees.

The Applicant submits that the addition of dimples does not increase the coefficient of friction of a material. If anything, dimples would decrease the friction that one product exerts on another, because dimples decrease the surface area that is in

contact with the other product. The Carballo product is an injection molded thermoplastic label that is 1.0 millimeters to 1.5 millimeters plus elevations 2' that are between 0.2 millimeters and 0.5 millimeters tall. There are many disadvantages to such injection molded products. That is why the claimed invention does not use an injection molding process. **In Carballo, the printing is done directly on the top surface of the product.** That is why the Carballo device requires a central recessed zone. The printing must be done in the recessed zone. This is explained in Carballo at column 4, line 57-column 5, line 4: "... since if it were at the same level as the rest of the piece, the provision of ornamentation would cause the piece to lose its non-slipping properties in said zone, and this would notably reduce its non-slipping properties, which would not be advisable for the foreseen applications." The Carballo device requires special materials, special geometries, and most importantly, specialized printers.

On the other hand, in the claimed invention, the printing is done a separate and distinct label stock layer. This allows an infinite variety of text and graphical indicia to be quickly and easily printed on the label stock by common, non-specialized printers. Neither Neal nor Carballo disclose, mention, teach, or suggest including a separate and distinct label stock for direct printing.

Claim 14 is hereby cancelled. Claims 2-4 and 15-19 are not hereby amended, but remain dependent upon Claim 1, which is hereby amended. As such, all of the distinguishing features added to Claim 1 are now included in Claims 2-4 and 15-19. Claim 1 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Neal, Carballo, or any other the reference cited by the Examiner.

In addition, Claims 21-25 are not hereby amended, but remain dependent upon Claim 20, which is hereby amended. As such, all of the distinguishing features added to Claim 20 are now included in Claims 21-25. Claim 20 is hereby amended by adding the

limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Neal, Carballo, or any other reference cited by the Examiner.

The Applicant submits that the foregoing amendments and remarks overcome the Examiner's rejection of Claims 1-4 and 14-25 under 35 U.S.C. § 103(a), and that Claims 1-4 and 15-25, as amended, are now in condition for allowance. Therefore, the Applicant respectfully requests that Claims 1-4 and 15-25, as amended, be allowed.

With regard to Claim 3, the Examiner states that all layers above the print layer 6 in Neal can be transparent in order to view the print layer 6. The Applicant respectfully disagrees.

The problem with the Examiner's assertion is that, in Neal, there is no separate and distinct print layer formed from label stock. Neal does not disclose a **separate and distinct** label stock. In Neal, reference numeral 6 refers to the printing that is done on the back of the sheet 5. This is explained at several places in the Neal disclosure, as set forth above.

On the other hand, this clarification has been hereby added to Claim 1. Claim 1, as amended, now includes a separate and distinct label stock layer onto which text and other graphical indicia may be printed. This feature is not disclosed, suggested, mentioned, or taught, either alone or in combination, by Neal, Carballo, or any other reference cited by the Examiner.

Claim 3 is not hereby amended, but remains dependent upon Claim 1, which is hereby amended. As such, all of the distinguishing features added to Claim 1 are now included in Claim 3. Claim 1 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested,

mentioned, or taught, either alone or in combination, by Neal, Carballo, or any other reference cited by the Examiner.

The Applicant submits that the foregoing amendments and remarks overcome the Examiner's rejection of Claim 3 under 35 U.S.C. § 103(a), and that Claim 3 is now in condition for allowance. Therefore, the Applicant respectfully requests that Claim 3 be allowed.

With respect to Claims 20 and 21, the Examiner states that this would merely involve a duplication of parts. The Applicant respectfully disagrees.

Claim 20 includes the limitation that **"wherein the first portion and each additional portion are selectively shaped to conform to the contours, shape, and components of the handheld electronic device."** This is an express structural limitation described at length in the Specification. This limitation means that each portion is selectively cut and otherwise treated and prepared, i.e., **custom tailored**, to precisely fit on specific cell phones and other handheld electronic devices to prevent the skins from interfering with buttons, hinges, battery packs, camera lenses, etc. This feature is described throughout the Specification and shown illustratively in Figures 3 and 4. This structural feature is not disclosed in Neal, Kobe, or any other reference cited by the Examiner.

Claim 21 is not hereby amended, but remains dependent upon Claim 20, which is hereby amended. As such, all of the distinguishing features added to Claim 20 are now included in Claim 21. Claim 20 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Neal, Carballo, or any other reference cited by the Examiner.

The Applicant submits that the foregoing amendments and remarks overcome the Examiner's rejections of Claims 20 and 21 under 35 U.S.C. § 103(a), and that

Claims 20 and 21, as amended, are now in condition for allowance. Therefore, the Applicant respectfully requests that Claims 20 and 21, as amended, be allowed.

With respect to Claim 14, the Examiner states that the product is label stock. The Applicant respectfully disagrees.

The layers of the Neal device combine to form a "label." Neither Neal nor Kobe, either alone or in combination, disclose, teach, suggest, or mention a separate and distinct label stock, directly upon which is printed graphical text and indicia. In Neal, reference numeral 6 refers to the printing that is done on the back of the sheet 5. This is explained at several places in the Neal disclosure, as set forth above. Carballo makes no mention of using a separate and distinct label stock.

Claim 14 is hereby cancelled. As such, the Examiner's rejection of Claim 14 under 35 U.S.C. § 103(a) is now moot; however, because the limitations of Claim 14 have been incorporated into amended Claim 1, the Applicant offers the distinguishing remarks set forth herein.

With respect to Claim 16, the Examiner has not provided any support whatsoever for the rejection of Claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Kobe in view of Neal. Neither Kobe nor Neal make any disclosure, mention, teaching, or suggestion whatsoever related to a polarized image on a separate decorative layer that changes when viewed from different angles.

Claim 16 is not hereby amended, but remains dependent upon Claim 1, which is hereby amended. As such, all of the distinguishing features added to Claim 1 are now included in Claim 16. Claim 1 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. **Claim 16 adds the additional limitation that the anti-slip layer is polarized.** These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Neal, Carballo, or any of the other the references cited by the Examiner.

The Applicant submits that the foregoing amendments and remarks overcome the Examiner's rejection of Claim 16 under 35 U.S.C. § 103(a), and that Claim 16 is now in condition for allowance. Therefore, the Applicant respectfully requests that Claim 16 be allowed.

With respect to Claims 23-25, the Examiner states "see column 5, lines 51-62 and column 9, lines 25-63 in Kobe et al." To the extent that the Examiner's statement constitutes a valid and proper rejection under 35 U.S.C. § 103(a), the Applicant respectfully disagrees that the cited references render the claimed invention obvious. Here, the Examiner is citing Kobe in a rejection based upon Neal and Carballo.

Nevertheless, as set forth above, these references merely list a large variety of materials of which the Kobe backing layer may be made. Kobe makes no mention, teaching, suggestion, or disclosure of any kind directed to adding a separate and distinct label stock layer onto which may be printed textual and/or graphical indicia. Nor does Kobe teach, suggest, or disclose short, wide dimples having a height-to-diameter aspect ratio of less than 1.0, so as to maximize the contact area between the dimples and the hard surface on which the handheld device sits. Indeed, Kobe teaches away from such a geometry, in that Kobe requires relatively thin, tall stems that are upraised from the backing layer. Furthermore, Claim 20 is directed toward a multi-portion skin and includes the limitation that **"wherein the first portion and each additional portion are selectively shaped to conform to the contours, shape, and components of the handheld electronic device."** This is an express structural limitation described at length in the Specification. This limitation means that each portion is selectively cut and otherwise treated and prepared, i.e., **custom tailored**, to precisely fit on specific cell phones and other handheld electronic devices to prevent the skins from interfering with buttons, hinges, battery packs, camera lenses, etc. This feature is described throughout the Specification and shown illustratively in Figures 3 and 4. This structural feature is not disclosed in Neal, Kobe, or any other reference cited by the Examiner.

Claims 23-25 are not hereby amended, but remain dependent upon Claim 20, which is hereby amended. As such, all of the distinguishing features added to Claim 20

are now included in Claims 23-25. Claim 20 is hereby amended by adding the limitations that the bubbles or dimples have a height-to-diameter ratio of less than about 1.0, and by adding the limitation that the decorative layer is a separate and distinct layer, directly upon which is printed graphical text and indicia. These features are not disclosed, suggested, mentioned, or taught, either alone or in combination, by Neal, Carballo, Kobe, or any other reference cited by the Examiner.

The Applicant submits that foregoing amendments and remarks overcome the Examiner's rejections of Claims 23-25 under 35 U.S.C. § 103(a) and that Claims 23-25 are now in condition for allowance. Therefore, the Applicant respectfully requests that Claims 23-25 be allowed.

For at least these reasons, the Applicant submits that Claims 1-4 and 15-25, as amended, are not rendered obvious over Neal in view of Caballo. The Applicant submits that foregoing remarks overcome the Examiner's rejections under 35 USC § 103(a), and that Claims 1-4 and 15-25, as amended, are now in condition for allowance. Therefore, the Applicant respectfully requests that Claims 1-4 and 15-25, as amended, be allowed.

Distinctions, Other Than Those Discussed, May Exist:

It should be noted that the Applicant has merely discussed example distinctions from the various references cited by the Examiner. Other distinctions may exist and Applicant reserves the right to discuss these additional distinctions in a future Response or on Appeal. By not responding to any additional statements made by the Examiner, the Applicant does not acquiesce to any of the Examiner's additional statements. The Applicant respectfully submits that the remarks provided above are sufficient to overcome the Examiner's rejections.

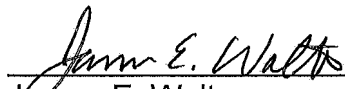
CONCLUSION:

The Applicant respectfully submits that the subject application is now in condition for allowance, and an early reconsideration and issuance of a Notice of Allowance are earnestly solicited. The Examiner is invited to contact the undersigned at (817) 447-9955 with any questions, comments, or suggestions relating to the referenced patent application.

This Amendment is being filed via the U.S. Patent and Trademark Office's EFS-Web electronic filing system. No fees are deemed to be necessary; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayments, to **Deposit Account No. 502806**.

Respectfully submitted,

1/4/11
Date


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